

FORM PTO-1390  
REV. 201T

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A  
FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

05725.1422-00000

U.S. APPLICATION NO.  
(If known, see 37CFR1.5)

10/528,698

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/FR03/02843	September 26, 2003	September 26, 2002

**TITLE OF INVENTION: LIPSTICK POLYMER COMPRISING A SEQUENCED POLYMER****APPLICANT(S) FOR DO/EO/US: Véronique FERRARI et al.**

Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4.  The US has been elected by the expiration of 19 months from the priority date (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed with the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154 (d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10.  An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11.  Information Disclosure Statement under 37 CFR 1.97 and 1.98
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A **FIRST** preliminary amendment.
14.  A **SECOND** or **SUBSEQUENT** preliminary amendment.
15.  A Substitute specification.
16.  A change of power of attorney and/or address letter.
17.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18.  A second copy of the published international application under 35 U.S.C. 154 (d)(4).
19.  A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).
20.  Other items or information:
  - a.  Copy of cover page of International Publication No. WO
  - b.  Copy of Notification of Missing Requirements.
  - c.

U.S. APPLICATION NO. (If known, see 37CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER
10/528,698		PCT/FR03/02843		05725.1422-00000
21. <input checked="" type="checkbox"/> The following fees are submitted:				
<b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b>				
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1080.00				
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$920.00				
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$770.00				
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$730.00				
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33 (1)-(4) ..... \$100.00				
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				
\$				
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30				
\$ 130.00				
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	- 20 =		x \$ 50.00	
Independent Claims	-3 =		x \$200.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$360.00	
<b>TOTAL OF THE ABOVE CALCULATIONS =</b>				
\$ 130.00				
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.				
<b>SUBTOTAL =</b>				
\$ 130.00				
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30				
<b>TOTAL NATIONAL FEE =</b>				
\$ 130.00				
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. + \$ 40.00				
<b>TOTAL FEES ENCLOSED =</b>				
\$ 170.00				
12/09/2005 ATRAN1 00000127 10526578 01 FC: 617 <b>130.00 no</b>				
Amount to be refunded:				
charged: \$				
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>130.00</u> to cover the surcharge fee for late filing of the Declaration and a check in the amount of \$ <u>40.00</u> to cover the Assignment recordation fee are enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p>				
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.				
SEND ALL CORRESPONDENCE TO:				
Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 901 New York Avenue, N.W. Washington, D.C. 20001				
<u>Deborah M. Herzfeld</u> SIGNATURE Deborah M. Herzfeld / 52,2M				
DATED: December 6, 2005 NAME/REGISTRATION NO.				

10/528698

PATENT  
Customer No. 22,852  
Attorney Docket No. 05725.1422-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re National Stage of International Application No. PCT/FR03/02843 of: )  
Véronique FERRARI et al. ) Group Art Unit: Unassigned  
Application No.: 10/528,698 ) Examiner: Unassigned  
Filed: September 26, 2003 ) Confirmation No.: 4617  
For: LIPSTICK COMPRISING A )  
SEQUENCED POLYMER )

SUBMISSION OF ASSIGNMENT OF APPLICATION

**Mail Stop Assignment Recordation Services**  
Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby submit a copy of the executed Assignment in the above-identified application from **Véronique FERRARI, Xavier BLIN, and Bertrand LION**, assigning their rights in the invention to **L'ORÉAL**. Please record the Assignment and return to the undersigned.

The required \$40.00 recordation fee is enclosed.

Please charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

By:

Deborah M. Herzfeld  
Deborah M. Herzfeld  
Reg. No. 52,211

Dated: December 6, 2005

Rec'd PCT/PTO 05/06/2005  
TLI PAG USD



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/528,698	Veronique Ferrari	05725.1422

INTERNATIONAL APPLICATION NO.

PCT/FR03/02843

I.A. FILING DATE	PRIORITY DATE
09/26/2003	09/26/2002

Finnegan, Henderson, Farabow, Garrett  
& Dunner, L.L.P.  
901 New York Avenue, NW  
Washington, DC 20001-4413

OCT 11 2005

RE: FINNAGAN, HENDERSON, FARABOW,  
GARRETT AND DUNNER, LLP

Date Mailed: 10/06/2005

CONFIRMATION NO. 4617  
371 FORMALITIES LETTER



\*OC000000017069184\*

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/22/2005
- Copy of the International Search Report filed on 03/22/2005
- U.S. Basic National Fees filed on 03/22/2005
- Priority Documents filed on 03/22/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

FREDERICK SMITH

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Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/528,698	PCT/FR03/02843	05725.1422

FORM PCT/DO/EO/905 (371 Formalities Notice)